

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **McArdle**

Serial No.: **10/645,039**

Filed: **August 21, 2003**

For: **Method and Apparatus for Enabling  
National Language Support of a  
Database Engine**

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Group Art Unit: **2165**

Examiner: **Syed, Farhan M.**

Attorney Docket No.: **AUS920030607US1**

**Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**35525**  
PATENT TRADEMARK  
OFFICE CUSTOMER

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
FINAL OFFICE ACTION NOT RECEIVED**

I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Final Office Action forming the basis of the abandonment was not received. I hereby state: (a) the Final Office Action indicated on the Notice of Abandonment, as mailed on January 8, 2008, was not received; and (b) a search of the file jacket and the docket records in my office indicates that this Final Office Action was not received.

I attach a copy of the docket record where the non-received Final Office Action would have been entered had it been received and docketed. As additional evidence of non-receipt of the Final Office Action, I also attach a statement from the legal assistant, Monica Gamez, who would have docketed the Final Office Action had it been received.

In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn, the Final Office Action as mailed on May 21, 2007, according to the USPTO Patent Application Information Retrieval system, be re-dated and mailed so that our office can respond in a timely manner.

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

/Duke W. Yee/  
Duke W. Yee  
Reg. No. 34,285  
Yee & Associates, P.C.  
P.O. Box 802333  
Dallas, TX 75380  
(972) 385-8777  
Attorney for Applicant

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Serial No.: **10/645,039**

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**For: Method and Apparatus for  
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§ Group Art Unit: **2165**

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§ Examiner: **Syed, Farhan M.**

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§ Attorney Docket No.: **AUS920030607US1**

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**AFFIDAVIT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Monica Gamez, being of sound mind and legal age, and fully aware of the punishable nature of making untrue statements as Affiant herein, do hereby attest to personal knowledge of the following:

I am employed by the law firm of Yee & Associates, P.C. (the "Firm"), as a Legal Assistant, in which capacity I personally receive all client related materials requiring further action and docketing on behalf of the Firm and IBM Corporation (the "Client").

On the mailing date of the Final Office Action in question, May 21, 2007, I was employed full time by the Firm and have no record of receipt of said Final Office Action. The Firm received a telephone call from the Examiner inquiring of the status of the response to the May 21, 2007 Final Office Action. At that time, I immediately contacted the Client to inform them of this situation and to ask if they had received a copy of the Final Office Action instead. They notified me that they had not received the Final Office Action.

When a final office action is received, I enter the final office action on the Firm's master docket and also enter the final office action on the Firm's internal docketing system which produces a Case History Report. Receipt of the final office action is neither indicated on the Case History Report nor on the case file index attached hereto.

Sworn to and attested as follows at Dallas, Texas on Friday, January 18, 2008:

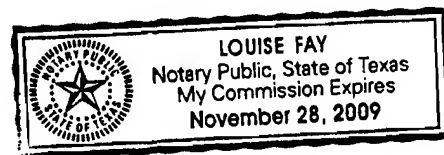
AFFIANT:

Monica Gamez  
Monica Gamez

On this the 18<sup>th</sup> day of January, 2008, personally appeared before me Monica Gamez, to me known to be the person named in and who executed the above instrument, and acknowledged that she executed the same for the uses and purposes therein mentioned.

Louise Fay  
Notary Public  
My commission expires: 11/28/09

(seal)



**U.S. Patent Case (Record Locked to allow your updates)**

Record Other Screens Save Contact Forms Help

☐ Case Management  
 Sr Atty:  Pri Atty:  Admin:  ☐ EFS Filed

Case No:  Client ID:  List

App Serial No:  Filing Date:  Status:

Title:

Date Iss/Abn:  Patent No:  Patent Expiration Date:

Client Case:  ☐ Exp Date Adjusted

Reminder List for this Case

Item	Who	Due Date

There are no Reminder Items for this Case

Priority Case:  Priority Date:

☐ Accelerated Examination



Office Action (Record Locked to allow your updates)

Record Save References Reminders Electronic Files Forms Help

Case No: AU5920030607US1

Country: USA

Dates / Response

Notes / FlexFields / Non-Compliant Response

ex Parte Quale ☐

Restriction Req. ☐

Final ☐

Received Conf. ☒

Response Faxed/Emailed ☒

Date Mailed: 12/15/2006

Date Received: 12/18/2006

Date Due: 3/15/2007

Last Date to File: 6/15/2007

Date Sent/Abandoned: 3/15/2007

Date Received in Patent Office: 3/15/2007

Examiner

Name:

Phone:

Fax:

Art Unit / Office:

Type of Amendment/Response

☒ Amendment/Remarks
 ☐ CPA
 ☐ RCE
 ☐ Appeal
 ☐ Preliminary Amendment
 ☐ Withdrawn by PTO
 ☐ Examiner Amendment

Advisory Action

☐ Expected
 ☐ Received

☐ Continue to Show Last Date to File Reminder

3/15/2007 MMG

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US Patent Tracking...

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Patent Case History

Case Management

Case Type: US Patent

Sr Atty: DWY

Pri Atty:

Admin: KDD

Case No: AUS920030607U9

Client ID: BIBM1

Client Case:

Serial No: 10/645,039

Filing Date: 8/21/2003

Status: Pending

Title: Method and Apparatus for Enabling National Language Support of a Database Engine

Date Iss/Abn:

Patent No:

Patent Expiration Date:

Reminder List

Item	Due Date	Done Date
File New Application-USA		8/21/2003
Office Action Received-USA	2/24/2006	2/24/2006
Response Sent-USA	5/24/2006	5/22/2006
Office Action Postcard Due-USA	6/22/2006	Received
Office Action Received-USA	8/23/2006	8/23/2006
Response Sent-USA	11/24/2006	11/21/2006
Office Action Received-USA	12/15/2006	12/15/2006
Office Action Postcard Due-USA	12/21/2006	Received
Response Sent-USA	3/15/2007	3/15/2007
Office Action Postcard Due-USA	4/15/2007	Received

Priority Case No:

Merge Form

3/16/2007 M44



## Patent Case History

### Case Management

Sr Atty: DWY

Pri Atty:

Admin: KDD

Case Type: US Patent

Case No: AUS920030607U9

Client ID: BIBM1

Client Case:

Serial No: 10/645,039

Filing Date: 8/21/2003

Status: Pending

Title: Method and Apparatus for Enabling National Language Support of a Database Engine

Date Iss/Abn:

Patent No:

Patent Expiration Date:

### Reminder List

Item	Due Date	Done Date
Response Sent-USA	5/24/2006	5/22/2006
Office Action Postcard Due-USA	6/22/2006	Received
Office Action Received-USA	8/23/2006	8/23/2006
Response Sent-USA	11/24/2006	11/21/2006
Office Action Received-USA	12/15/2006	12/15/2006
Office Action Postcard Due-USA	12/21/2006	Received
Response Sent-USA	3/15/2007	3/15/2007
Office Action Postcard Due-USA	4/15/2007	Received
Receive Next Office Action USA	7/15/2007	

Priority Case No:

Merge Form

3/16/2007 M44



**IBM CORPORATION**  
**AUS920030607US1**

**METHOD AND APPARATUS FOR ENABLING NATIONAL LANGUAGE SUPPORT  
OF A DATABASE ENGINE**

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1.	PATENT APPLICATION FORMAL DRAWINGS IDS	08/21/03
2.	FILING RECEIPT	08/21/03
3.	NOTICE OF RECORDATION	08/21/03
4.	NOTICE OF PUBLICATION OF APPLICATION	02/24/05
5.	OFFICE ACTION	02/24/06
6.	RESPONSE TO OFFICE ACTION	05/22/06
7.	FINAL OFFICE ACTION	08/23/06
8.	RESPONSE TO OFFICE ACTION	11/21/06
9.	OFFICE ACTION	12/15/06
10.	RESPONSE TO OFFICE ACTION	03/15/07